

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

TUN AUNG KYAW,

Petitioner,

vs.

NEBRASKA,

Respondent.

8:22CV07

MEMORANDUM AND ORDER

Pending before the court is a Petition for Writ of Habeas Corpus. (Filing 1.) On January 26, 2022, Petitioner paid the \$5.00 filing fee, and the court now conducts a preliminary review of the Petition. The Petition is deficient because Petitioner has not signed it under penalty of perjury.¹ *See, e.g.*, 28 U.S.C. § 2242 and Rule 2(c)(5) of the *Rules Governing Section 2254 Cases in the United States District Courts*.

IT IS THEREFORE ORDERED that:

1. The pending Petition (filing 1) is deemed insufficient, and the court will not act upon it.

2. On or before February 28, 2022, Petitioner shall submit an amended Petition that is originally signed under penalty of perjury. Petitioner is directed to use the official AO Form 241. Petitioner is warned that the failure to comply with

¹ On January 7, 2022, the Clerk of Court advised Petitioner that his Petition was unsigned and therefore deficient. The Clerk of Court directed Petitioner to “correct the deficiency” (i.e., file a signed Petition) within 15 days, or the pleading “may be stricken from the record of this case.” (Filing 3 (text order).) Petitioner has failed to follow the Clerk of Court’s directions.

this order may result in dismissal of this case without prejudice and without further notice.

3. The Clerk of Court is directed to send Petitioner a Form AO 241, Petition for Writ of Habeas Corpus Under 28 U.S.C. § 2254.

4. The Clerk of Court is directed to set a pro se case management deadline in this case using the following text: **February 28, 2022**: deadline for Petitioner to submit amended petition correcting signature deficiency.

5. No further review of this case will take place until Petitioner complies with this order.

Dated this 27th day of January, 2022.

BY THE COURT:



Richard G. Kopf
Senior United States District Judge